

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES – GENERAL

Case No. SACV 22-01669-FWS (ADSx) Date January 9, 2023

Title Ing. Dipl.-Ing (FH) Elhar Muminovic v. Blizzard Entertainment, Inc.

PRESENT:

HONORABLE FRED W. SLAUGHTER, UNITED STATES DISTRICT JUDGEMelissa H. Kunig
Deputy ClerkNot Reported
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

PROCEEDINGS: (IN CHAMBERS) ORDER DISMISSING ACTION FOR LACK OF PROSECUTION FOR FAILURE TO COMPLY WITH THE COURT'S ORDER

On November 9, 2022, the court ordered Plaintiff to show cause in writing why this action should not be dismissed for lack of subject matter jurisdiction ("Order to Show Cause"). (See Dkt. 14.) The record reflects Plaintiff has not filed any response to the Order to Show Cause. (See *generally* Dkt.) Thus, for the reasons discussed in the court's previous order, (see Dkt. 14), the court concludes Plaintiff's Complaint fails to demonstrate an adequate basis for federal subject matter jurisdiction and the action is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction. See Fed. R. Civ. P. 12(h)(3) ("If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action."); *Scholastic Ent., Inc. v. Fox Ent. Grp., Inc.*, 336 F.3d 982, 985 (9th Cir. 2003) ("While a party is entitled to notice and an opportunity to respond when a court contemplates dismissing a claim on the merits . . . it is not so when the dismissal is for lack of subject matter jurisdiction."); *Cal. Diversified Promotions, Inc. v. Musick*, 505 F.2d 278, 280 (9th Cir. 1974) ("It has long been held that a judge can dismiss sua sponte for lack of jurisdiction.").

Initials of Deputy Clerk mku

cc: